

## CLAIMS

1. An encoding/transmitting apparatus comprising:  
input means for inputting data;  
encoding means for encoding the data input;  
storage means for storing encoded data generated by the encoding means;  
multiplexing means for multiplexing the encoded data stored in the storage means  
and transmitting the data multiplexed, to a predetermined receiving apparatus through a  
network; and  
monitoring means for monitoring a state of the network,  
wherein the multiplexing means controls a multiplexing rate in accordance with  
the state of the network, which the monitoring means has detected.
2. The encoding/transmitting apparatus according to claim 1, wherein the encoding  
means receives transmission information indicating the encoded data transmitted by the  
multiplexing means, calculates an area occupied by data in the storage means, on the basis  
of the transmission information, stops an encoding process when the area occupied by data  
in the storage means is larger than a predetermined value, and performs the encoding  
process when the area occupied by data in the storage means is smaller than the  
predetermined value.
3. The encoding/transmitting apparatus according to claim 1, wherein the data  
includes audio data, and audio-data output control means is provided, which achieves

fading-out of audio data to be encoded before the encoding means is stopped, and achieves fading-in of the audio data when the encoding means is started again.

4. The encoding/transmitting apparatus according to claim 1, further comprising data-transmission-amount control means for storing and controlling an amount in which the transmitting means can transmit data.

5. The encoding/transmitting apparatus according to claim 1, wherein the data includes a plurality of program data items, the encoding means encodes the program data items, each independently of any other, the storage means stores the encoded program data items, independently of any other, and the multiplexing means multiplexes the encoded program data items, generating one output data item.

6. An encoding/transmitting method comprising:

a step of inputting data;

a step of encoding the data input;

a step of storing, in storage means, encoded data generated in the step of encoding the data; and

a step of multiplexing the encoded data stored in the storage means and transmitting the data multiplexed, to a predetermined receiving apparatus through a network,

wherein, in the step of multiplexing the encoded data, a state of the network is input and a multiplexing rate is controlled in accordance with the state of the network, which has been input.

7. The encoding/transmitting method according to claim 6, wherein, in the step of encoding the data, transmission information indicating the encoded data transmitted in the step of multiplexing the encoded data is input, an area occupied by data in the storage means is calculated on the basis of the transmission information, and an encoding process is stopped when an area occupied by data in the storage means is larger than a predetermined value, and the encoding process is performed when the area occupied by data in the storage means is smaller than the predetermined value.

8. The encoding/transmitting method according to claim 6, wherein the data includes audio data, and audio-data output control means is provided, which achieves fading-out of audio data to be encoded before the encoding means is stopped, and achieves fading-in of the audio data when the encoding means is started again.

9. The encoding/transmitting method according to claim 6, wherein the data includes a plurality of program data items, the program data items are encoded, each independently of any other, in the step of encoding the data, the encoded program data items are stored in the storage means, each independently of any other, in the step of storing the encoded data, and the program data items are multiplexed in the step of multiplexing the encoded data, thereby generating one output data item.